

### Remarks

Claims 1-19 are pending in the present application and are rejected.

The specification is amended to correct an obvious error regarding the photoinitiators. Specifically, for Darocur 1173, "(2-hydroxy-2-methyl-1phenyl-1-propane)" is changed to "(2-hydroxy-2-methyl-1phenyl-1-propanone)". This is obvious since many photoinitiators include a carbonyl group. Applicant will provide a product data sheet should the Examiner require additional proof.

Claims 1 and 13 are amended to include the limitation "wherein the photocurable ferromagnetic composition includes less than about 5 weight percent volatile organic compounds." The antecedent basis for this amendment is found on p. 3, ll. 15-16.

Claim 13 is further amended to include ranges for each component.

Claims 4, 9, and 10 is amended to include the limitation "the balance is the ethylenically unsaturated monomer having Formula I" are urged by the Examiner.

**1. Rejection Under 35 U.S.C. §112, Second Paragraph**

Claims 4 and 9-10 are rejected under 35 U.S.C. §112, second paragraph.

Applicant has amended claims 4 and 9-10 as set forth above to provide that "the balance is the ethylenically unsaturated monomer having Formula I." Accordingly, rejection under 35 U.S.C. §112, second paragraph is now moot.

**2. Rejection Under 35 U.S.C. §112, First Paragraph**

Claims 9-10 and 13-19 are rejected under 35 U.S.C. §112, second paragraph.

Claim 13 is amended to include ranges for each of the components. Accordingly, rejection of claims 13-19 under 35 U.S.C. §112, second paragraph is now moot.

Applicant has amended claims 9-10 as set forth above to provide that “the balance is the ethylenically unsaturated monomer having Formula I.” Accordingly, rejection under 35 U.S.C. §112, second paragraph is now moot.

**3. Double Patenting**

Claims 1-8 and 11-19 are rejected under the judicially created doctrine of double patenting over claims 1-11 of U. S. Patent No. 6,716,893.

Applicant is filing a Terminal Disclaimer herewith rendering this rejection moot.

**4. Rejection Under 35 U.S.C. 102(b)/103(a)**

Claims 1-3, 5, 7-8, 12-17 and 19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Heil et al. (4,666,783; 4,559,118, and 4,557,813).

Claim 1 is amended to include the limitation “wherein the photocurable ferromagnetic composition includes less than about 5 weight percent volatile organic compounds.” Heil does not appreciate the importance. The compositions fo Heil typically include a solvent as can be seen from the many examples which have THF. The presence of solvents require that the compositions be dried before curing:

Before the still liquid coating mixture is dried on the base, an operation which is advantageously carried out at from 50° to 100° C for from 15 to 120 seconds in a conventional dryer, the magnetic particles are, if required, oriented in the intended recording direction by the action of a magnetic field.

Heil, col. , ll.

Accordingly, independent claim 1 and its dependent claims 1-3, 5, 7-8, and 12 are now allowable over Heil.

Independent claim 13 is amended to include ranges for each of the components of the photocurable ferromagnetic composition of the present invention. Heil does not disclose or recognize the importance of these ranges. Specifically, Heil does not disclose the combination of an acrylated epoxy oligomer in an amount from 2% to 6% of the weight of the ferromagnetic composition, an isobornyl acrylate monomer in an amount from about 15% to 25% of the total weight of the ferromagnetic composition, a photoinitiator in an amount from 1 % to 10 % of the weight of the ferromagnetic composition, and a magnetic powder in an amount from 20 % to 60 % of the weight of the ferromagnetic composition.

Accordingly, independent claim 13 along with its dependent claims 14-17 and 19 are now allowable over Heil.

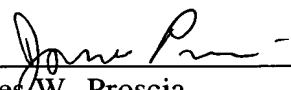
### **Conclusion**

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all

formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Respectfully submitted,

**Roy C. Krohn**

By   
James W. Proscia  
Reg. No. 47,010  
Attorney/Agent for Applicant

Date: 11-19-04

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351